IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 22798 of 2007(L)

PETITIONER:

A.M.KADIJABEE, AGED 53 YEARS,
W/O.M.A.KADIR KUNJU, ASSISTANT EXECUTIVE ENGINEER
P.W.D.BUILDINGS SUB DIVISION, ALUVA
(RESIDING AT MOOTHEDATH, MYNOTHIL LANE,
PERIYAR NAGAR, THAIKKATTUKARA - 683 106).

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE CHIEF ENGINEER
(GENERAL ADMINISTRATION),
PUBLIC WORKS DEPARTMENT,
TRIVANDRUM.

3. THE EXECUTIVE ENGINEER, P.W.D.BUILDINGS
DIVISION, EDAPPALLY, COCHIN-24.

4. SRI..AJITH KUMAR,
ASSISTANT EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
N.H.DIVISION, CHAVAKKAD, THRISSUR DISTRICT.

BY ADV. SRI.K.JAJU BABU for R4
SMT.M.U.VIJAYALAKSHMI
BY GOVERNMENT PLEADER SRI. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.22798/2007 L

APPENDIX

PETITIONER'S EXHIBITS:

EXT..P1: **COPY OF THE ORDER OF THE 1ST RESPONDENT DTD. 21/07/2007.**

EXT.P2: **COPY OF THE REVIEW PETITION FILED BEFORE THE GOVERNMENT DTD. 24/07/2007.**

EXT.P3: **COPY OF THE G.O.(P) NO.12/04/P&ARD OF THE GOVERNMENT DTD. 10/09/2004.**

EXT.P4: **COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN O.P.NO. 5348/1990-J DTD. 14/06/1990.**

EXT.P5: **COPY OF THE REPRESENTATION FILED BEFORE THE GOVERNMENT DTD. 14/08/2007.**

/TRUE COPY/

P.S.TO JUDGE

KSS

Antony Dominic, J.

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W.P(C).No.22798 of 2007

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Dated this the 16th day of August, 2007.

JUDGMENT

Petitioner is Assistant Executive Engineer, P.W.D. Building Sub Division, Aluva, since March, 2006. By Ext.P1 order, the fourth respondent has been posted in her place and the petitioner is posted at Chavakkad, the place vacated by the fourth respondent. It is stated that the fourth respondent has also completed three years at Chavakkad. Aggrieved by Ext.P1, petitioner had preferred Ext.P2 representation before the first respondent and it is pending.

2. Along with I.A.No.11263 of 2007, petitioner produced Ext.P5 yet another representation submitted before the first respondent in which she has pointed out that she may be considered to the post of Assistant Executive Engineer (R & B) Central Circle, Aluva or Roads Division, Kakkanad or Buildings Division, Edappally wherein the incumbents have already completed three years.

3. At the time when this Writ Petition was admitted, this Court passed an order dated 25.7.2007 staying all further proceedings pursuant to Ext.P1 order of transfer for a period of one month and consequently the petitioner is continuing at Aluva.

4. Taking note of the fact that the petitioner has already preferred Exts.P2 and P5, which are pending consideration before the first respondent, I dispose of this Writ Petition directing the first respondent to consider and pass orders thereon as expeditiously as possible, at any rate, within a period of three weeks from the date of receipt of a copy of this judgment. Until orders are passed as above, the interim order passed on 25.7.2007 will continue.

Petitioner shall produce a copy of this judgment before the first respondent for compliance.

Antony Dominic,
Judge.

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